HON'BLE SHRI G.S.SINGHVI, THE CHIEF JUSTICE
And
HON'BLE SHRI JUSTICE G.V.SEETHAPATHY

Taken up W.P. NO.10490 OF 2006

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Between:
The Newspaper Clipping of Eenadu dated 23.5.2006

.....Petitioner

AND

The Commissioner of Police,
Visakhapatnam District,
Visakhapatnam and three others.

.....Respondents

::ORDER::

Dated 27/6/2006

Per Sri G.S.Singhvi, CJ

On receipt of letter dated 23.5.2006 sent by Member Secretary, Andhra

Pradesh Legal Services Authority highlighting the ill-treatment meted by police to Smt.Kolli Rani belonging to “Stree Sakthi Sanghatana”, one of us (the Chief Justice) directed that the same be treated as a writ petition in public interest and listed before the appropriate Bench.

On 29.5.2006, the Court, after taking cognizance of communication dated 23.5.2006 and another letter dated 25.5.2006 sent by Member Secretary, Andhra Pradesh Legal Services Authority directed issuance of notice to the Government of Andhra Pradesh through Secretary, Home Department; Commissioner of Police, Visakhapatnam; Superintendent, Central Prison, Visakhapatnam; and Smt G.Grace Krupavathi, female attendant, Central Prison, Visakhapatnam. Simultaneously, District Judge, Visakhapatnam was directed to depute an officer of the rank of Additional District Judge to enquire into the matter and submit report to the Court within seven days.

On the next date of hearing i.e., 9.6.2006, the Court requested the learned Advocate General to look into the case and assist the Court as an Amicus. Government Pleader for Home was directed to file affidavit of the Commissioner of Police.

On 13.6.2006, the Court, after going through the affidavits of Shri Varun Sindhu Kul Kaumudi, Commissioner of Police, Visakhapatnam and Smt.G. Grace Krupavathi as also the report sent by Additional District Judge, Visakhapatnam, ordained release of Smt.Kolli Rani and adjourned the case for today because learned Advocate General who was requested by the Court to act as an amicus made a statement that he will get in touch with the senior officers of the Government and the department and ensure that at least in future, the provisions contained in A.P.P.M. Order No.461 are rigorously implemented.

Sri A.Satya Prasad, learned Special Government Pleader has drawn our attention to Circular Memo No.17967/Leg.1/A2/2006 dated 24.6.2006 issued by the Government of Andhra Pradesh, Home (Legal-1) Department whereby the instructions contained in order No.461 of APPM have been reiterated.

After going through the Circular Memo produced by Sri A.Satya Prasad and by taking into cognizance of the statement made by Government Pleader for Home that Smt.Kolli Rani has since been released from prison, we deem it proper to dispose of this petition with the direction that within seven days from today, the State Government shall issue appropriate order fixing the responsibility and accountability of the officers and officials who may be found responsible for not complying with APPM Order No.461. Instructions to be issued by the Government must contain a provision for mandatory initiation of disciplinary action for major penalty against the officers/officials found responsible for violating the instructions contained in APPM Order No.461.

With a view to make the concerned judicial officers aware about the instructions issued by the State Government, we direct that APPM Order No.461 should be circulated in all the Courts in the State of Andhra Pradesh.

G.S.SINGHVI, CJ

Dt.27.6.2006

G.V.SEETHAPATHY, J

msv/svs